HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO: 18607 of 2007

Dated: 23-10-2007

Between:

Kum. Roja Venkata Padma

..... PETIT

AND

The District Collector (Land Acquisition),
Krishna District and another.

.....RESPONI

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 18607 of 2007

O R D E R:

This writ petition is filed for a writ of Mandamus to declare the action of the respondents in seeking to acquire the petitioner's land of Ac.2.03 cents in Sy.No.320/4, 320/5 situated in Kalavapamula village, Uyuuru Mandal, Krishna District through notification dated 20-07-2007 issued under Section 4(1) of the Land Acquisition Act, 1894.

Heard Sri N.Gangadhar, learned counsel for the petitioner and learned Assistant Government Pleader for Land Acquisition.

Learned counsel for the petitioner stated that in pursuance of the notice issued under Section 5-A of the Act, the petitioner submitted her objections on 16-08-2007 and that since she is apprehending that the respondents may overrule their objections and proceed with the acquisition of her land, she filed the present writ petition.

On the petitioner's own showing, in response to the notice received by her, she filed her objections. Therefore, I am unable to accept the petitioner's contention that even before considering the objections the respondents may acquire the land of the petitioner.

Learned Assistant Government Pleader says that the respondents have not yet finalised the enquiry.

Since the proceedings under Section 5-A are still pending, in my opinion, the writ petition is premature. As and when the objections are considered and an order adverse to the interest of the petitioner is passed, she can avail an appropriate remedy.

For the aforementioned reasons, the writ petition is dismissed. However, before proceeding further, the respondents shall consider and dispose of the objections of the petitioner, if already received. No costs.

C.V.NAGARJUNA REDDY,J

Date: 23-10-2007
KLP